

House Resolution 136 (AS PASSED HOUSE AND SENATE)

By: Representatives Bryant of the 160th, Stephens of the 161st, Gordon of the 162nd, and Stephens of the 164th

A RESOLUTION

1 Proposing an amendment to the Constitution so as to allow the owners of real property
2 located in industrial areas to remove the property from the industrial area; to provide for the
3 submission of this amendment for ratification or rejection; and for other purposes.

4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

5
6 Article XI, Section I, Paragraph IV of the Constitution is amended by revising subparagraph
7 (e) as follows:

8 "(e) Any person owning property in an industrial area described in subparagraph (d) of
9 this Paragraph may voluntarily remove the property from the industrial area by filing a
10 certificate to that effect with the clerk of the superior court for the county in which the
11 property is located, ~~but only if the property is located on an island~~. Once the certificate
12 is filed, the property described in the certificate, together with all public streets and public
13 rights of way within the property, abutting the property, or connecting the property to
14 property outside the industrial area ~~will~~, shall no longer be in the industrial area and ~~may~~
15 ~~be annexed by an adjacent city~~ shall upon the filing of the certificate be annexed to the
16 city which provides water service to the property, or if no city provides water service
17 shall be annexed to the city providing fire service as provided under the constitutional
18 amendments that created such industrial areas described in subparagraph (d) of this
19 Paragraph. The filing of a certificate ~~will~~ shall be irrevocable and ~~will~~ shall bind the
20 owners, their heirs, and their assigns. The term 'owner' includes anyone with a legal or
21 equitable ownership in property but does not include a beneficiary of any trust or a
22 partner in any partnership owning an interest in the property or anyone owning an
23 easement right in the property."

SECTION 2.

The above proposed amendment to the Constitution shall be published and submitted as provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the above proposed amendment shall have written or printed thereon the following:

"() YES Shall the Constitution of Georgia be amended so as to allow the owners of real property located in industrial areas to remove the property from the () NO industrial area?"

All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."

All persons desiring to vote against ratifying the proposed amendment shall vote "No." If such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall become a part of the Constitution of this state.